

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

FRANK W. PECK,)	3:09-CV-0381-LRH (VPC)
)	
Plaintiff,)	<u>MINUTES OF THE COURT</u>
)	
vs.)	
)	
WCSO DEPUTY WHEELER, et al.,)	
)	
Defendants.)	
_____)	

PRESENT: THE HONORABLE VALERIE P. COOKE, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: LISA MANN REPORTER: NONE APPEARING

COUNSEL FOR PETITIONER(S): NONE APPEARING

COUNSEL FOR RESPONDENT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

At a September 7, 2012 hearing, the court ordered in part:

The Court grants plaintiff's motion for a subpoena (#81) to the extent that plaintiff may subpoena attorney Mary Lou Wilson for records provided to her by Sparks Police Department and as more fully set forth in plaintiff's motion. Plaintiff shall pay for the service of the subpoena.

Minutes of the Court #83, pg. 2.

Plaintiff has now filed a motion for court order to effect service of process (#99). By this motion, plaintiff seeks a court order requiring the U.S. Marshal to serve the subpoena at plaintiff's expense. This motion (#99) is **DENIED**. If plaintiff wishes to serve a subpoena on Mary Lou Wilson, he may do so by retaining a private process server at his expense and paying the required witness fee. The court will not assist plaintiff in this task. Plaintiff was advised in the order granting *in forma pauperis* status that the grant of *in forma pauperis* status did not extend to the issuance of subpoenas at government expense (#9). The court will not order the U.S. Marshal to serve the subpoena.

The Clerk shall **ISSUE** one blank subpoena and **SEND** it to the plaintiff with this order.

IT IS SO ORDERED.

LANCE S. WILSON, CLERK

By: /s/
Deputy Clerk